

REMARKS/ARGUMENTS

Favorable consideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 15-31 are presently pending in this application, Claims 1-14 having been canceled and Claims 15-31 having been newly added by the present amendment.

In the outstanding Office Action, the drawings were objected to for informalities; the specification and the abstract of disclosure were objected to for informalities; Claims 5, 6 and 12-14 were objected to for being in improper forms; Claims 3, 4, 10 and 11 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite; and Claims 1-4 and 7-11 were rejected under 35 U.S.C. §102(e) as being anticipated by Rohani et al. (U.S. Patent 6,064,659).

In response to the objections to the drawings, submitted herewith is a separate LETTER SUBMITTING DRAWING SHEET(S), submitting for approval changes to Figures 1-3. Specifically, Figure 1 has been amended to show the legend "Prior Art". Further, the box with the reference numeral 10 has been labeled "summer", the box with the reference numeral 11 has been labeled "conversion unit", the box with the reference numeral 12 has been labeled "amplifier", and the boxes with the reference numeral 14 have been labeled "power control units". Figure 2 has also been amended to show the legend "Prior Art". Further, the box with the reference numeral 10 has been labeled "summer", the box with the reference numeral 11 has been labeled "conversion unit", the box with the reference numeral 12 has been labeled "amplifier", the boxes with the reference numeral 14 have been labeled "power control units", and the boxes with the reference numeral 15 have been labeled "limitation units". In addition, Figure 3 has been amended so that the box with the reference numeral 10 is labeled "summer", the box with the reference numeral 11 is labeled "conversion unit", the box with the reference numeral 12 is labeled "amplifier", the boxes

with the reference numeral 14 are labeled "power control units", the boxes with the reference numeral 15 are labeled "summation units", the boxes with the reference numeral 16 are labeled "attenuation units", the box with the reference numeral 17 is labeled "checking unit", and the box with the reference numeral 18 is labeled "arithmetic unit". Accordingly, it is respectfully submitted the outstanding objections be withdrawn.

In response to the objections to the specification and abstract, the noted informalities have been corrected and section headings have been entered as suggested in the Office Action. Thus, no further objection on these matters is anticipated.

Claims 15-31 are newly added herein, and find clear support in the specification, claims and drawings, as originally filed. Further, Claims 15-31 are believed to be in proper forms, and particularly point out and distinctly claim the subject matter regarded as the claimed invention. If, however, the Examiner disagrees, the Examiner is invited to telephone the undersigned who will be happy to work in a joint effort to derive mutually satisfactory claim language and expedite the prosecution of this application.

Briefly, Claim 15 is directed to a system for controlling the transmission power of a base station configured to communicate with a plurality of mobile stations, where the base station includes *inter alia* a plurality of attenuation units configured to attenuate the respective sub-composite signals transmitted by the summation units by applying respective attenuation coefficients. By providing such attenuation units, the system recited in Claim 15 makes best use of the power of the base station and avoids under-use of radio capacity (see specification, page 4, lines 6-9).

Rohani et al. disclose a system where subscriber unit is divided into groups based on priority, and when the total power requested exceeds the maximum transceiver power, limits the requested power of a subscriber unit starting from the lowest priority group to the highest priority group until the request power is below the maximum transceiver power. However,

priority group until the request power is below the maximum transceiver power. However, Rohani et al. do not disclose a plurality of attenuation units configured to attenuate the respective sub-composite signals transmitted by the summation units by applying respective attenuation coefficients. As such, the Rohani et al. system is less efficient in making the best use of the power of the base station and avoiding under-use of radio capacity. Therefore, the structure recited in Claim 15 is clearly distinguishable from Rohani et al.

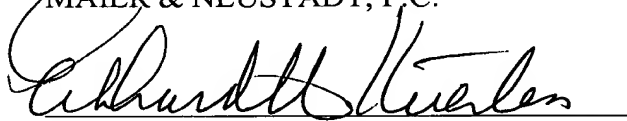
Claim 21 recites a step of attenuating the sub-composite signals by applying respective attenuation coefficients, thus same arguments set forth above apply to Claim 21 as well. Hence, Claim 21 is also distinguishable from Rohani et al.

For the foregoing reasons, Claims 15 and 21 are believed to be allowable. Furthermore, since Claims 16-20 and 22-31 depend directly or indirectly from either Claim 15 or 21, substantially the same arguments set forth above also apply to these dependent claims. Hence, Claims 16-20 and 22-31 are believed to be allowable as well.

In view of the amendments and discussions presented above, Applicants respectfully submit that the present application is in condition for allowance, and an early action favorable to that effect is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Eckhard H. Kuesters
Attorney of Record
Registration No. 28,870

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/03)

EHK/GS:mda

I:\ATTY\GS\20s\202722\AME.DOC